



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Jonathan Dorfman

Application No.: 09/372,416

Group Art Unit: 2178

Filed: August 11, 1999

Examiner: Huynh, Thu V.

For: System and method for real-time bidding for  
Internet advertising space

**REQUEST UNDER 37 C.F.R. § 1.48(c)**  
**TO ADD NAMED INVENTOR**

**PETITION UNDER 37 C.F.R. § 1.183**  
**TO WAIVE REQUIREMENTS**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request pursuant to 37 C.F.R. § 1.48(c), to add Mr. David William Roth as a named inventor in this application. This is further a petition pursuant to 37 C.F.R. § 1.183 to waive certain requirements of § 1.48 and § 1.63.

Applicant is the Assignee of the present application and is prosecuting the present application under 37 C.F.R. § 3.71. A statement under 37 C.F.R. § 3.73(b) is submitted herewith.

Applicant respectfully requests that Mr. David William Roth be added as a named inventor in this application.

The addition of Mr. Roth to the inventorship is due to the addition of new claims to subject matter of which Mr. Roth is the correct inventor.

Mr. Roth is the sole inventor for non-original claims 18 – 84. Claim 18 is currently withdrawn from consideration. Claims 19 – 84 were initially presented with the amendment to the claims filed on March 11, 2008.

The written consent of the Assignee is included herewith.

The processing fee set forth in 37 C.F.R. 1.17(i) is included herewith.

A statement by Mr. Roth under § 1.48(c) and a new oath or declaration by Mr. Roth under § 1.63 is required. Mr. Roth, however, cannot be found or reached after diligent effort.

The Office of Petitions has previously granted waivers for these same requirements by Mr. Roth in connection with a related application, Applicant No. 09/216,206 (the “‘206 application”). A copy of a Decision on Petition in the ‘206 application is attached hereto as “Attachment A”.

Applicant respectfully requests that waivers identical to those granted in the ‘206 application be granted in this application without Applicant having to submit a new showing of diligent effort in searching or reaching Mr. Roth.

The last known address for Mr. Roth is as follows:

**3650 Fillmore Street, Apt. 304  
San Francisco, CA 94123**

The statement by the inventor under § 1.48(c) and a new declaration under § 1.63 is being signed by Mr. Benzion A. Wachsman, an authorized representative of the Assignee of the present application.

Should there be any questions or outstanding issues regarding these Petitions, the Petitions Examiner is respectfully requested to contact the undersigned at the number indicated below.

Dated: July 20, 2011

Respectfully submitted,

BEH Investments LLC \*

Signature: /Benzion A. Wachsman/

Name: Benzion A. Wachsman

Title: General Manager

Tel.: (718) 928-2213

Fax: (718) 504-9671

\* A statement pursuant to 3.73(b) is attached.

**ATTACHMENT  
A**



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

BEH Investments Inc.  
1652 48<sup>th</sup> Street  
Brooklyn, NY 11204

**COPY MAILED**

**MAR 13 2006**

In re Application of  
Heidi Kay and Russell Fradin  
Application No. 09/216,206  
Filed: December 18, 1998  
Attorney Docket No. B2745.0025

**OFFICE OF PETITIONS**

**ON PETITION**

This is a decision in response to the papers filed January 19, 2006, which are being treated as:

- (1) a petition under 37 CFR 1.48(c) to correct inventorship,
- (2) a petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.48(c) for inventor Roth, and
- (3) a petition under 37 CFR 1.183 seeking waiver of 37 CFR §§ 1.67 and 1.63 where they require that a supplemental declaration be executed by all the named inventors.

The petition under 37 CFR 1.48(c) is **granted**.

The petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.48(c) is **granted**.

The petition under 37 CFR 1.183 requesting waiver of 37 CFR §§ 1.67 and 1.63 is **granted**.

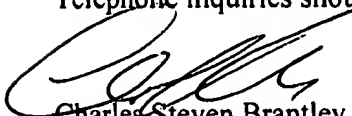
The original inventors of record were Heidi Kay and Russell Fradin.

As a result of this decision, David William Roth and Dylan Fyall Salisbury have become the inventors of record.

A corrected filing receipt is attached.

Technology Center Art Unit 3622 will be informed of this decision in order to allow the examiner to learn the inventorship issue has been resolved.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

  
Charles Steven Brantley  
Petitions Attorney  
Office of Petitions

cc: Corrected Filing Receipt



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Jonathan Dorfman

Application No.: 09/372,416

Group Art Unit: 2178

Filed: August 11, 1999

Examiner: Huynh, Thu V.

For: System and method for real-time bidding for  
Internet advertising space

**CONSENT BY ASSIGNEE**  
**UNDER 37 C.F.R. § 1.48(c)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.48(c), Mr. Roth is being added as an inventor to the above-identified application. The assignee of the present application hereby consents to the addition of Mr. Roth to the inventorship of this application.

Dated: July 20, 2011

Respectfully submitted,

By: /Benzion A. Wachsman/

Benzion A. Wachsman  
General Manager  
BEH Investments LLC (Assignee) \*

\* A statement pursuant to 3.73(b) is attached.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Jonathan Dorfman

Application No.: 09/372,416

Group Art Unit: 2178

Filed: August 11, 1999

Examiner: Huynh, Thu V.

For: System and method for real-time bidding for  
Internet advertising space

**STATEMENT FOR MR. DAVID WILLIAM ROTH**  
**UNDER 37 C.F.R. § 1.48(c)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This statement is being submitted on behalf of Mr. David William Roth who cannot be found or reached after diligent effort. Mr. Roth is being added as an inventor to the above-identified application. The addition of Mr. Roth to the inventorship is necessitated by amendment of the claims. To the best of my knowledge, the inventorship error occurred without deceptive intention on the part of Mr. Roth.

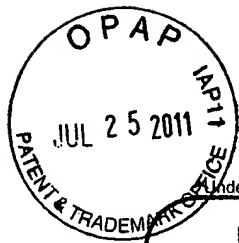
Dated: July 20, 2011

Respectfully submitted,

By: /Benzion A. Wachsman/

Benzion A. Wachsman  
General Manager  
BEH Investments LLC (Assignee) \*

\* A statement pursuant to 3.73(b) is attached.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

First Named Inventor

David William Roth

COMPLETE IF KNOWN

Application Number

09/372,416

Filing Date

August 11, 1999

Art Unit

2178

Examiner Name

Huynh, Thu V.

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

System and method for real-time bidding for  
Internet advertising space

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

August 11, 1999

as United States Application Number or PCT International

Application Number

09/372,416

and was amended on (MM/DD/YYYY)

March 11, 2008

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☐ Customer Number:  OR ☐ Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☒ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) David William

Family Name  
or Surname Roth

Inventor's  
Signature *Ben Zion Waechman (authorized representative of Assignee)*

Date  
July 20, 2011

Residence: City  
San Francisco

State  
California

Country  
United States of America

Citizenship  
United States of America

Mailing Address

3650 Fillmore Street, Apt. 304

City  
San Francisco

State  
California

ZIP  
94123

Country  
United States of America

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any])

Family Name  
or Surname

Inventor's  
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

City

State

ZIP

Country

☐ Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.